

**REMARKS**

In light of the amendments to the application noted above and following remarks, reconsideration and allowance of this application are respectfully requested.

At paragraphs 1-3 of the outstanding office action, the Examiner has objected to the drawings as failing to include reference numbers on figure 11C, and as not including another reference number mentioned in the specification at page 25. Applicants submit concurrently herewith a new drawing sheet and have revised the present specification which address these matters. Applicants therefore request that the objection to the drawings on these grounds be withdrawn.

At paragraph 4 of the outstanding office action the Examiner has objected to a number of informalities in the specification. Applicants have amended the specification, and therefore request that the objection to the specification be withdrawn.

At paragraph 5 of the outstanding office action the Examiner has objected to claims 1, 3, 7, 14, 15, 16, 22, 35 and 37 as including informalities. Applicants have amended these claims and therefore request that the objection to the claims on these grounds be withdrawn.

At paragraph 7 of the outstanding office action the Examiner has rejected claims 4, 6, 16, 17, 25, 27, 37 and 38 under 35 USC 112 as containing indefinite terms, such as higher and lower. Applicants have amended these claims in line with the Examiner's suggestions, and therefore request that the rejection of these claims under 35 USC 112 be withdrawn.

At paragraph 9 of the outstanding office action the Examiner has rejected claims 1-6, 14-16, 18-27, 35-37 and 39-42 under 35 USC 102 (b) and being anticipated by Batson (US Patent No. 4, 809,189). Applicants respectfully traverse the rejection.

Batson differs from the claimed invention for at least two significant reasons. In Batson, as is set forth in the specification at column 5, lines 40-45, a user defines a mathematical algorithm to generate a simulated waveform. This algorithm may be defined in accordance with user inputs utilizing a plurality of library functions. As is set forth in Baston:

According to the present invention, the microprocessor 24 generates "processed" waveform data sequences representing simulated waveforms in the same way that sequences of data from digitizer 12 represent real waveform inputs to digitizer 12. The microprocessor 24 computes the value of each data in a processed waveform data sequence according to a mathematical expression specified by a user through user input devices 26. The mathematical expression may utilize the values of selected digitized or processed waveform data stored in waveform memory 16 as independent variables, may utilize integer and floating point constants having values set by control knobs or other input devices 26, and may make use of a function library stored in ROM 30, the library including such mathematical functions as addition, subtraction, multiplication, division, roots and powers, trigonometric functions, and the like. Microprocessor 24 may simultaneously produce data sequences for up to eight processed waveforms, each computed according to a separate user defined mathematical expression, the data sequences being transmitted to the MMU 14 in an interleaved fashion. MMU 14 stores the sequences in memory 16 for subsequent transmission to display controller 18 for display as waveforms on CRT 22.

However, in each case a user defines the mathematical algorithm in its entirety, apparently with some type of programming language.

In contrast, the present invention allows for a user to define a plurality of processing elements. Thus a user can define a processing algorithm that can be used any number of times when further defining an overall processing. Additionally, a graphical representative of the defined processing function is assigned. A user can then graphically select one or more defined processing functions and indicate data flow between them by graphically connecting the graphical representatives of the functions. This graphical "web" that is produced by these connections actually defines the processing that is performed on an acquired waveform. Thus, rather than merely performing a mathematical simulation of waveform processing, the generation

of the graphical processing web defines the processing to be performed on the acquired waveform. It is this ability for a user to define various processing functions, and to then control the overall functionality of processing on an acquired waveform in accordance with a graphical representation of the desired data processing flow that is not shown in Baston.

Because each of independent claims 1, 14, 22 and 35 include elements embodying the features of the invention noted above, Applicants respectfully request that the rejection of these claims under 35 USC 102(b) be withdrawn. Furthermore, claims 2-6, 15-16, 18-21, 23-27, 36-37 and 39-42 depend, either directly or indirectly from one of the independent claims noted above, Applicants submit that these claims are allowable for this reason alone, and additionally as presenting independently patentable combinations is their own right. Applicants therefore request that the rejection of these claims under 35 USC 102(b) similarly be withdrawn.

At paragraph 11 of the outstanding office action the Examiner has rejected claims 7-9, 11, 12, 17, 28-30, 32, 33 and 38 under 35 USC 103(a) as being unpatentable over Baston in view of Natori et al. (US Patent No. 5,668,469). Applicants respectfully traverse the rejection.

Independent claims 7 and 28 include elements similar to those noted above with respect to claims 1, 14, 22 and 35. Furthermore, the Examiner has not relied upon Natori et al. to cure the defects of Baston noted above. Therefore, Applicants submit that independent claims 7 and 28 are allowable over the combination of prior art relied upon by the Examiner. Furthermore, claims 8-9, 11, 12, 29-30 and 33 depend from one of these independent claims, and are allowable for this reason alone, and additionally as presenting independently patentable combinations in their own right. Finally, claims 17 and 38 depend from independent claims 14 and 35, noted above, and are allowable for this reason alone, and additionally as presenting independently

patentable combinations in their own right. Applicants therefore respectfully request that the rejection of claims 7-9, 11, 12, 17, 28-30, 32, 33 and 38 under 35 USC 103(a) be withdrawn.

At paragraph 12 of the outstanding office action the Examiner has rejected claims 10, 13, 31 and 34 under 35 USC 103(a) as being unpatentable over Baston in view of Natori et al. and further in view of Shirai (US Patent No. 5,736,971). Applicants respectfully traverse the rejection.

Claims 10 and 13 depend from independent claim 7 while claims 31 and 34 depend from independent claim 28, noted above, and are allowable for this reason alone, and additionally as presenting independently patentable combinations in their own right. While the Examiner has additionally relied upon Shirai, this additional reference fails to cure the defects of Baston noted above. Applicants therefore respectfully request that the rejection of claims 10, 13, 31 and 34 under 35 USC 103(a) be withdrawn.

**CONCLUSION**

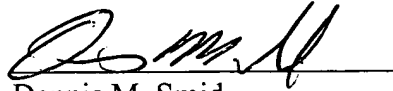
Applicant has made a diligent effort to place claims 1-42 in condition for allowance, and notice to this effect is earnestly solicited. If the Examiner is unable to issue a Notice of Allowance regarding these claims, the Examiner is requested to contact the undersigned attorney to discuss any further outstanding issues.

Early and favorable consideration are respectfully requested.

Please charge any fees which may be incurred by reason of this response to Deposit Account No. 50-0320.

Respectfully submitted,  
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